

Maria-Nicolle Beringer  
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Filed: July \_\_\_, 2009

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re	Bankruptcy Case No. 08-24236-BAM
FRANKLIN ANTHONY MITCHELL	Chapter 7
Debtor	Adversary Case No. 09-01068-BAM
	<b><u>Notice of Motion to Compel and Request for Sanctions</u></b>
	Hearing Date: 8/11/2009
	Hearing Time: 9:30 AM
	Estimated Time for hearing: 5 Minutes

TO THE HONORABLE BRUCE A. MARKELL, THE DEBTOR, HIS ATTORNEY OF RECORD AND THE CHAPTER 7 TRUSTEE, AND OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that on the 11th day of August, 2009 at 9:30 a.m. before United States Bankruptcy Judge, the Honorable Bruce A. Markell, in Courtroom 3 located at the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas Nevada, the Plaintiffs, Stephen and Maria-Nicolle Beringer, will move this Court, pursuant to Local Rule 1001 and Rule 37 of the Federal Rules of Civil Procedure, for an Order to Compel production of Debtor's Idaho Address and Sanctions Against Debtor's Attorney for Refusal to Comply with the Court's June 9, 2009 order.

PLEASE TAKE FURTHER NOTICE that Local Bankruptcy Rule 9014(d)(1) requires that any opposition to the motion must be filed and served upon the Movant not later than fifteen (15) days after service of the motion. The opposition must set forth all relevant facts and must contain a legal memorandum. An opposition may be supported by affidavits or declarations that conform to the provisions of the rule.

If you object to the relief requested, you must file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and

- The court may *rule against you* without formally calling the matter at the hearing.

Dated: July 7, 2009

Plaintiffs,

/s/ Maria-Nicolle Beringer  
Maria-Nicolle Beringer

/s/ Stephen Beringer  
Stephen Beringer